

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	NO. 1:17-CR-0086-JEJ
	)	
v.	)	(JUDGE JONES)
	)	
ERNEST EZELL CROSBY	)	(FILED ELECTRONICALLY)

GOVERNMENT'S UNOPPOSED MOTION FOR POSTPONEMENT  
OF JURY SELECTION AND TRIAL

AND NOW, the United States of America, by its undersigned counsel, submits the following Unopposed Motion for Postponement of Jury Selection and Trial. In support of this motion, the United States states the following:

1. A grand jury sitting in Harrisburg, Pennsylvania returned an Indictment charging defendant Ernest Crosby as the sole defendant with one count of being a Felon in Possession of Firearm in violation of Title 18, United States Code, Section 922(g)(1) on March 29, 2017.
2. Jury selection and trial are currently scheduled for September 5, 2017.
3. Defense counsel filed a motion requesting the Court ordered U.S. Probation prepare a pre-plea pre-sentence report to aid the parties

in attempting to resolve this case without Court intervention. This Honorable Court granted the defendant's request and that report is due to be disclosed on Friday, August 18, 2017. Plea negotiations have been ongoing in this case but the parties do require additional time to attempt to resolve the case, once the pre-plea report has been received.

4. In addition, undersigned counsel is preparing for a pretrial motions hearing set for August 29, 2017 and then jury selection and trial involving four defendants scheduled to begin on September 18, 2017 before the Honorable Yvette Kane. The parties have estimated the jury trial in *United States v. Scott Lane, et al.*, No. 1:16-CR-00082 will last two weeks. The *Lane* defendants are charged in a conspiracy to use a minor child to produce a live transmission via the internet to produce child pornography and related charges. The U.S. Attorney's Office for the Middle District of Pennsylvania is jointly prosecuting this case with the Department of Justice's Child Exploitation and Obscenity Section. A trial attorney from DOJ's CEOS section, Austin Berry, will be joining undersigned counsel as co-counsel for the *Lane et al.* matter. As a result of the ongoing preparations for both the pretrial hearing scheduled for August 29, 2017 and the preparations necessary for the

September 18, 2017 jury trial, undersigned counsel will not be available to prepare the *Crosby* matter for a trial on September 5, 2017 and will not be available the week of September 5, 2017 to be in trial.

5. Counsel for defendant Ernest Ezell Crosby, Stephanie L. Cesare, concurs in the request for a continuance.

6. In light of these issues, the United States is seeking a sixty (60) day continuance of jury selection and trial in this matter to a date deemed appropriate by the Court.

WHEREFORE, for the foregoing reasons, the United States respectfully requests that this Honorable Court grant the Government's Unopposed Motion for Postponement of Jury Selection and Trial.

Respectfully submitted,

BRUCE D. BRANDLER  
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 15th day of August, 2017, she served a copy of the attached

GOVERNMENT'S UNOPPOSED MOTION FOR POSTPONEMENT  
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by electronic means and/or first-class United States mail by sending a copy to each of the addresses stated below:

Stephanie Cesare, Esquire  
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*Counsel for Ernest Ezell Crosby*

/s/ Bethany Haase  
Bethany Haase  
Legal Assistant